



ALAMEDA COUNTY
CONGESTION MANAGEMENT AGENCY

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May 28, 2009
Agenda Item 7.3

Memorandum

DATE: May 19, 2009
TO: CMA Board
FROM: Plans and Programs Committee
**RE: Federal Economic Stimulus Package:
American Recovery and Reinvestment Act (ARRA)
Additional Local Streets and Roads (LSR) Funding**

Action

It is recommended that the Board approve a program of projects for the additional ARRA funds distributed at the state level. The additional funding provides a second round of Local Streets and Roads (LSR) funding from the ARRA for Alameda County projects. This programming capacity was approved by MTC at their April meeting. The amount available for Alameda County is \$4.74 million. Project sponsors have submitted information that is the basis for a programming recommendation for the \$4.74 million. The programming information, e.g. project descriptions, funding amounts, etc., is due to MTC by May 31st.

Next Steps

Staff will work with MTC to include the projects in the next TIP Amendment.

Discussion

A second round of funding from the American Recovery and Reinvestment Act (ARRA) is being made available for Local Streets and Roads (LSR) System Preservation projects through a portion of the overall ARRA funding that is being administered by the State. The funds are available as a result of the passage of ABX3 20. The terms, "Regional ARRA Funding" and "State ARRA Funding" are being used to differentiate between the urbanized regional ARRA funds that are provided directly to the regions and the ARRA funds made available through the State (ABX3 20). An attachment details the distribution of ARRA funds in the State through ABX3 20. The CMA recently programmed \$24.64 million of Regional ARRA Funding to LSR projects. That round of Regional ARRA Funding was referred to as "Tier 1" at the time.

The amount of State ARRA Funding available for Alameda County LSR projects is \$4.74 million. Table 1 summarizes the proportional share of the State ARRA Funding for each jurisdiction based on the same distribution formula used for programming the Regional ARRA Funding (i.e. "Tier 1").

The Regional ARRA LSR projects went through an expedited Local Assistance process focused on ensuring that the projects were able to meet the environmental, right of way and construction contract requirements required for federal aid. The requirements had to be satisfied in a short time frame in order for the funds to be obligated by the deadlines applied to the Regional ARRA

Funding. A similar approach will be followed for the State ARRA Funding. Project sponsors considering applying for the State ARRA Funding should take into account the scope of the proposed project and the timeframe required to secure environmental clearance (both NEPA and CEQA) and right of way certification.

Project sponsors should assume that they will need to satisfy all federal funding requirements for obligation by August/September in order to secure the State ARRA Funding. CMA staff will work with MTC and Caltrans to clarify the final schedule requirements. Project scopes that require technical studies for environmental clearance, right of way acquisition for certification, complicated design efforts for PS&E; or that encroach on the State Highway System should be carefully defined prior to applying for the State ARRA Funding. The August/September deadline will be for a complete Request for Authorization to Proceed package.

The applications for the Regional ARRA Funding submitted in January 2009 totaled \$44.7M (the original Alameda County target was \$40M) compared to about \$24.6M being available. Theoretically, the scopes associated with the un-funded costs would be good candidates for the State ARRA Funding, assuming there are no project delivery complications, but sponsors are not limited to those scopes. Sponsors were encouraged to propose scopes of projects that lend themselves to the most expeditious obligations possible and to incorporate any lessons learned from the recent Caltrans processing of the Regional ARRA Funding projects.

A funding threshold of \$500,000 had been established for the previous ARRA funding. Table 1 shows that only two jurisdictions have State ARRA Funding shares greater than \$500K. The CMA staff has worked with MTC to grant a lower threshold in the \$350K range for the State ARRA funding. There are six jurisdictions shown in Table 1 with a share less than \$250K.

An email was sent to the ACTAC requesting feedback by May 1st, related to whether or not a jurisdiction desires to apply for the State ARRA Funding and, if so, the total cost for the scope of the project being considered that can be processed through Caltrans in the expedited timeframe. The collected information includes jurisdictions requesting State ARRA as well as “rolling over” programming to a future LSR cycle. Agencies that don’t receive funding this cycle will be credited with additional programming capacity in the next federal LSR program. Likewise, agencies that receive additional funding now will have a future programming capacity debited. The assumption is this would occur in the first round of LSR funding in the next federal reauthorization (SAFETEA expires 9/30/09). Freed up programming capacity is proposed to increase the programming for a jurisdiction that would otherwise be below the minimum program threshold. Table 3 includes a summary of the proposed programming amounts and the corresponding credits/debits proposed to be carried forward.

The proposed program is also included in Table 4. Fremont has elected to add their State ARRA share to their existing Regional ARRA LSR project. The proposed program assumes the following assumptions:

- LSR Rehabilitation Projects are proposed for this program,
 - All projects have minimal environmental and ROW requirements,
- Minimum \$350,000 federal grant level,
- Projects all have local matching funds,

- Amounts credited to jurisdictions are within the range that they can be paid back in the next Federal LSR cycle, and
 - Agencies that don't receive funding this cycle will be credited with additional programming capacity in the next federal LSR program.

Staff has been working through the month of May to collect the required project information for the proposed projects.

Attachments:

Apportionments Distribution Chart (Based on ABX3 20)

Table 1: State ARRA Funding LSR Share Summary

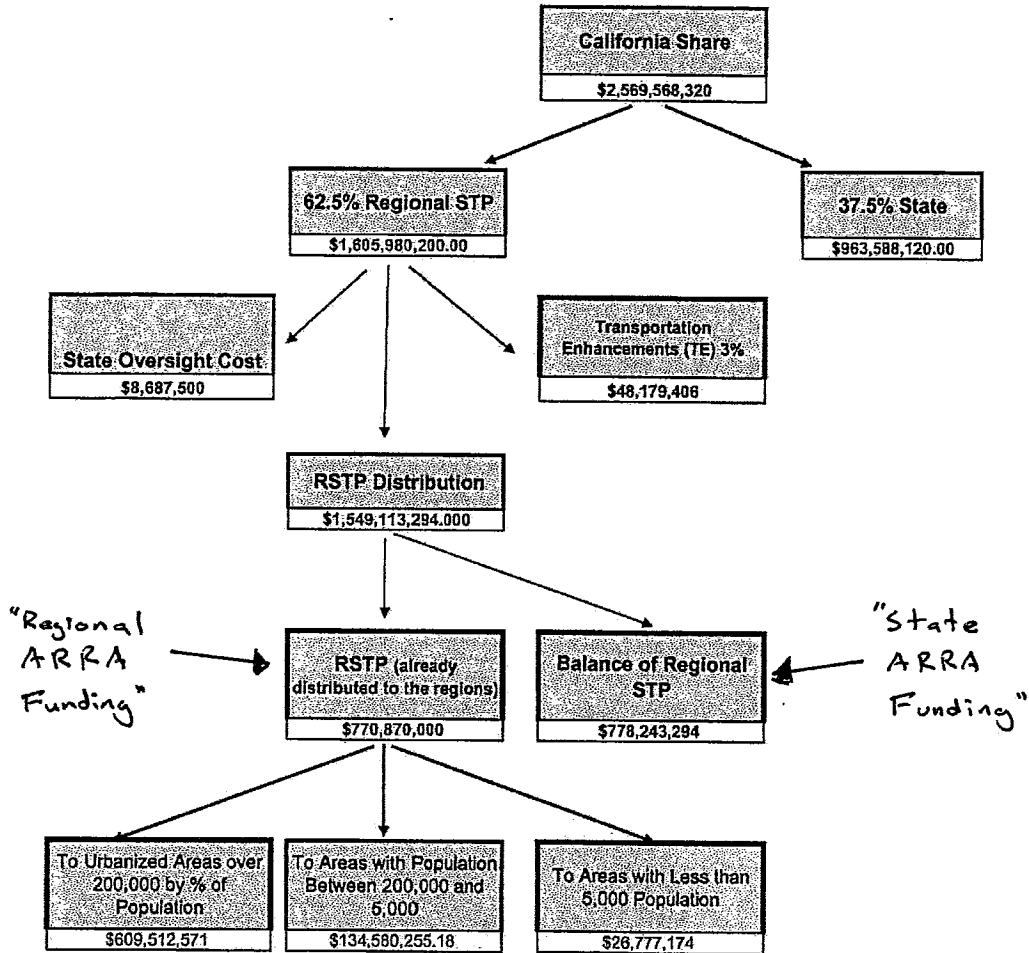
Table 2: Total ARRA Funding LSR Share Summary

Table 3: State ARRA LSR Proposed Program and Credit/Debit Summary

Table 4: State ARRA Funding LSR Recommendation

American Recovery and Reinvestment Act of 2009 (ARRA)

Apportionments Distribution Chart (Based on ABX3 20)



Region Total	
State Oversight Cost	\$8,687,500
Transportation Enhancement (TE) 3%	\$48,179,406
Balance of Regional STP	\$778,243,294
Sub Total	\$835,110,200
30% by Population (already distributed)	\$770,870,000
Total	\$1,605,980,200

Table 1: State ARRA Funding LSR Share Summary	
(Col. A)	(Col. B)
Jurisdiction	State ARRA Funding Share (Based on same Distribution Formula as Regional ARRA Funding)
County of Alameda	\$ 350,000
Alameda	\$ 251,000
Albany	\$ 40,000
Berkeley	\$ 312,000
Dublin	\$ 145,000
Emeryville	\$ 30,000
Fremont	\$ 770,000
Hayward	\$ 392,000
Livermore	\$ 285,000
Newark	\$ 188,000
Oakland	\$ 1,148,000
Piedmont	\$ 21,000
Pleasanton	\$ 305,000
San Leandro	\$ 257,000
Union City	\$ 246,000
Total	\$ 4,740,000
Notes: 1. State ARRA Funding shares shown in Table 1 were calculated using the same distribution formula as used for the Regional ARRA Funding (i.e. "Tier 1") LSR programming.	

Table 2: Total ARRA Funding LSR Share Summary

(Col. A)	(Col. B)	(Col. C)		(Col. D)
Jurisdiction	Regional ARRA Funding Share	State ARRA Funding Share (Based on same Dist. Formula as Regional ARRA Funding)		Total LSR ARRA Share (Regional plus State) (Col. B) + (Col. C)
County of Alameda	\$ 1,817,000	\$ 350,000		\$ 2,167,000
Alameda	\$ 1,304,000	\$ 251,000		\$ 1,555,000
Albany	\$ 209,000	\$ 40,000		\$ 249,000
Berkeley	\$ 1,619,000	\$ 312,000		\$ 1,931,000
Dublin	\$ 753,000	\$ 145,000		\$ 898,000
Emeryville	\$ 156,000	\$ 30,000		\$ 186,000
Fremont	\$ 4,009,000	\$ 770,000		\$ 4,779,000
Hayward	\$ 2,037,000	\$ 392,000		\$ 2,429,000
Livermore	\$ 1,479,000	\$ 285,000		\$ 1,764,000
Newark	\$ 978,000	\$ 188,000		\$ 1,166,000
Oakland	\$ 5,968,000	\$ 1,148,000		\$ 7,116,000
Piedmont	\$ 108,000	\$ 21,000		\$ 129,000
Pleasanton	\$ 1,588,000	\$ 305,000		\$ 1,893,000
San Leandro	\$ 1,338,000	\$ 257,000		\$ 1,595,000
Union City	\$ 1,277,000	\$ 246,000		\$ 1,523,000
Totals	\$ 24,640,000	\$ 4,740,000		\$ 29,380,000

Table 3: State ARRA LSR Proposed Program and Credit/Debit Summary			
(Col. A)	(Col. B)	(Col. C)	(Col. D)
Jurisdiction	State ARRA Funding Share (Based on same Distribution Formula as Regional ARRA Funding)	Proposed State ARRA Program	Credit/Debit against future Federal LSR Share resulting from State ARRA Program
County of Alameda	\$ 350,000	\$ 420,000	\$ (70,000)
Alameda	251,000	350,000	(99,000)
Albany	40,000		40,000
Berkeley	312,000	400,000	(88,000)
Dublin	145,000		145,000
Emeryville	30,000		30,000
Fremont	770,000	770,000	0
Hayward	392,000	475,000	(83,000)
Livermore	285,000	350,000	(65,000)
Newark	188,000		188,000
Oakland	1,148,000	1,255,000	(107,000)
Piedmont	21,000		21,000
Pleasanton	305,000	370,000	(65,000)
San Leandro	257,000	350,000	(93,000)
Union City	246,000		246,000
Total	\$ 4,740,000	\$ 4,740,000	\$ 0
Notes: State ARRA Funding shares shown in Column B were calculated using the same distribution formula as used for the Regional ARRA Funding (i.e. "Tier 1") LSR programming.			

TABLE 4 - STATE ARRA Funding - LSR DRAFT Recommendation

Sponsor	Request Tier 2 ARRA Funds? (Yes/No)	State ARRA Share	Project Title	Total federal-eligible costs (Con only)		Proposed	Notes	E-76 request package by the end of Aug/Sept?
				Minimum	Maximum			
STATE ARRA RECOMMENDED								
Alameda County	YES	\$ 350,000	Pavement rehabilitation of various roadways in San Lorenzo/ Ashland – Unincorporated Alameda County	\$ 350,000	\$ 666,000	\$ 420,000		
Alameda	YES	\$ 251,000	City of Alameda Certain Streets Rehabilitation	\$ 300,000	\$ 1,000,000	\$ 350,000	Minimum \$300,000. Estimate over \$1,000,000 in construction costs for streets to rehabilitate right now that fit the ARRA profile of being not environmentally controversial arterials and collectors, that can be ready to bid by the end of July.	Yes
Berkeley	YES	\$ 312,000	University Avenue Paving project - Phase 3	\$ 320,000	\$ 4,740,000	\$ 400,000	\$320K OR MAX. TIER 2 ARRA FUNDS AVAILABLE	Yes
Hayward		\$ 392,000	Industrial Boulevard Pavement Rehabilitation	\$ 800,000	\$ 800,000	\$ 475,000	Total Construction cost - \$800,000 (Total project cost is estimated at \$900,000 which includes environmental study, design, construction, and construction administration).	Yes, Design is approximately 70% complete.
Livermore	YES	\$ 285,000	Major arterial street resurfacing	\$ 285,000	\$ 500,000	\$ 350,000	Have enough streets if need a \$500k project. Could also pass this round and receive credit.	Yes
Oakland	YES	\$ 1,148,000	Various LS&R Rehab	\$ 648,000	\$ 3,000,000	\$ 1,255,000	Minimum \$648K up to 3 million for Various LS&R Rehab (depending on available funds).	Yes
Pleasanton	YES	\$ 305,000	Overlay of Bernal Avenue	\$ 580,000	\$ 580,000	\$ 370,000	Total Federal Eligible Construction Cost.	Yes
San Leandro	YES	\$ 257,000	Springlake Drive Street Rehabilitation	\$ 500,000	\$ 500,000	\$ 350,000		Yes
Subtotal:		\$ 3,300,000		\$ 3,783,000	\$ 11,786,000	\$ 3,970,000		
Request above State ARRA shares:				\$ 483,000	\$ 8,486,000			
STATE ARRA FUNDS - ADVANCED								
Fremont		\$ 770,000				\$ 770,000		Fremont is adding \$770K share to it's Regional ARRA project.

NOT RECOMMENDED								
Albany	YES	\$ 40,000	Pierce St Reconstruction	\$ 1,412,619	\$ 1,412,619		Programming of this amount would not be feasible to payback in the next round of Federal funding.	Yes
Oakland	YES		Curb Ramps/Sidewalk Damage Repair	\$ 500,000	\$ 500,000		Priority to LSR Rehabilitation with minimal NEPA and ROW requirements.	Yes
Subtotal:		\$ 40,000		\$ 1,912,619	\$ 1,912,619			
SPONSOR REQUESTED DEFERRAL OF FUNDING TO NEXT ROUND OF FEDERAL FUNDS								
Dublin	NO	\$ 145,000						
Emeryville	NO	\$ 30,000						
Newark	NO	\$ 188,000						
Piedmont	NO	\$ 21,000						
Union City	NO	\$ 246,000						
Subtotal:		\$ 630,000						
Not Recommended and Requested Deferral Total:		\$ 670,000						

Notes:
1) Includes CEQA/NEPA, Right of Way Certification, and final PS&E.